

UNITED STATES OF AMERICA
UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SAMUEL EUGENE CALHOUN,)	
)	
Petitioner,)	Case No. 1:09-cv-468
)	
v.)	Honorable Robert Holmes Bell
)	
JOHN PRELESNIK,)	
)	
Respondent.)	<u>ORDER</u>
_____)	

This is a habeas corpus petition brought by a state prisoner pursuant to 28 U.S.C. § 2254. Respondent filed an answer to the petition on September 10, 2010.

Respondent has failed to file the transcripts, state court briefs and state court opinions that are pertinent to resolution of the issues. Rule 5 of the Rules Governing Section 2254 Cases vests the court with the authority to order respondent to submit those state court materials it deems necessary to properly review the case. Accordingly, respondent shall file all pretrial and trial transcripts and related trial-court materials, all records relating to post-judgment proceedings (including motions and orders under Subchapter 6.500 of the Michigan Court Rules), and all motions, applications, briefs, and opinions in the state court of appeals and supreme court, no later than **October 20, 2010**.

DONE AND ORDERED this 6th day of October, 2010.

/s/ Joseph G. Scoville
United States Magistrate Judge